

IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEBRASKA

AMERICAN HOME ASSURANCE)	
COMPANY and CARGILL MEAT)	
SOLUTIONS CORPORATION,)	
)	
Plaintiffs,)	8:11CV270
)	
v.)	
)	
GREATER OMAHA PACKING COMPANY,)		ORDER
INC.,)	
)	
Defendant.)	
)	

This matter is before the Court on the motion (Filing No. [353](#)) of plaintiff Cargill *in limine* to exclude certain prejudicial arguments and evidence. Cargill filed a brief (Filing No. [354](#)) and indices of evidence (Filing Nos. 355, 356, 357). The defendant, Greater Omaha Packing Company ("GOPAC") has filed a brief (Filing No. [447](#)) and index of evidence (Filing No. [448](#)) in opposition to the motion. Cargill filed a reply brief (Filing No. [463](#)). The motion will be granted in part, and ruling on the remainder will be reserved until trial.

GOPAC argues that it must use the term "pink slime" in order to describe lean finely textured beef ("LFTB") in terms most familiar to the jurors. GOPAC does not intend to emphasize the colloquial name of "pink slime," but hopes to refer to the beef product in a manner that helps jurors know and understand

what the product is. Filing No. [447](#), at 2. The word slime is synonymous with ooze, sludge, muck, mud, or mire. The word implies repulsion. Certainly, the word "slime" does a disservice to the jurors in imparting -- not an accurate understanding of the beef product -- but a predisposed misunderstanding that the meat was unsavory or repulsive. GOPAC shall refer to the meat in question by its industry name, lean finely textured beef or LFTB, and not by its colloquial name "pink slime." Likewise, GOPAC should not reference the negative media attention which has focused on LFTB.

Ruling on the remainder of Cargill's motion will be reserved until trial. Accordingly,

IT IS ORDERED:

1) GOPAC shall not refer to LFTB as "pink slime," nor shall it reference any negative media attention in relation to LFTB.

2) Ruling on the remainder of the motion is reserved until trial.

DATED this 2nd day of May, 2014.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court